IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 2788 of 2005

Between:

K. Sanjeev Reddy S/o. Venkat Reddy
R/o. Mulladuppalapally (V), Nalgonda District.

..... PETITIONER

AND

1 The Regional Manager, APSRTC, Nalgonda Region, Nalgonda District.
2 The Depot Manager, APSRTC, Kodad Depot, Nalgonda District.
3 The Depot Manager, APSRTC, Nalgonda Bus Depot, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in issuing the Proceeding No. PA/62(10)/93-KDD dt.23-4-1993 as illegal, arbitrary and unjust and consequently set aside the proceedings Proceeding No. PAA/62(10)/93-KDD, dt. 23-4-1993 issued by the 2nd respondent.

Counsel for the Petitioner:MR.Y.SUBBA RAO

Counsel for the Respondent Nos.1 to 3: MR.V.T.M.PRASAD (SC FOR APSRTC)

The Court at the admission stage made the following O R D E R:

Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for the respondents.

The petitioner questions the order dated 23.04.1993 imposing punishment of deferment of increments for a period two years, which shall have the effect of postponing the future increments.

The petitioner contends that imposing such punishment is a major penalty and the same cannot be imposed without conducting any enquiry.

This Court in **S.K.Mastan v. Managing Director, APSRTC**, held that imposition of punishment of postponement of increments with cumulative effect is a major penalty and the same cannot be imposed unless preceded by an enquiry.

Having regard to the facts and circumstances of the case and following the above judgment, I am inclined to modify the punishment imposed on the petitioner to that of postponement of two increments without cumulative effect.

Accordingly, the writ petition is disposed of modifying the punishment imposed on the petitioner to that of postponement of annual increments for a period of two years, which shall not have the effect of postponing the future increments. The petitioner is not entitled for monetary benefits. No costs.

17.02.2005

usd

To

1 The Regional Manager, APSRTC, Nalgonda Region, Nalgonda District.
2 The Depot Manager, APSRTC, Kodad Depot, Nalgonda District.
3 The Depot Manager, APSRTC, Nalgonda Bus Depot, Nalgonda District.

4 Two CD copies.